

Chairman Powell and Fellow Commissioners:

I urge you to reject the petition (04-160) filed by the National Association of Broadcasters. As an XM Radio subscriber for over one year, I cannot tell you adequately how impressed I am with XM's quality, service, and programming. In particular, I am extremely enthralled with XM's recent addition of local traffic and weather - something that has been needed by drivers for years, if not decades. AM/FM Broadcasters do provide traffic and weather information, but in most cases they provide it on their schedule - which is rarely when it is needed - and do not provide in-depth traffic information. They usually provide only what will fit in the tiny amount of time that they have allocated for traffic reports. As a result, you have information that is both too limited and too infrequent to be of use. This is true in both areas I have lived in - New York and Tampa. The closest to XM's service in these areas that you will find is in New York - WCBS 880AM and WINS 1010AM, which both provide traffic and weather every 10 minutes. However, they too have a defined time frame for their traffic and usually are forced to exclude all but the most major traffic tie-ups. Further, they never seemed to cover the outlying areas such as Long Island, NY, leaving that for the half hourly or hourly traffic reports on the music-oriented stations. XM does a much better job by taking the time to cover ALL of the local traffic issues, including accidents on smaller secondary roads that, while not impacting thousands of drivers, potentially will affect THIS driver. This is invaluable information. Further, with XM, I can get information on the traffic in nearby areas before I drive there, which can be invaluable as well. For example, when driving from my home in Tampa to Disney World in Orlando, I can listen to XM's traffic for both cities before leaving my home. This allows me to gauge conditions and choose routes more effectively. I still listen to local AM/FM broadcasters for music and local news, just not exclusively. To put this in perspective, I don't listen to ANY radio, AM/FM or XM, all the time. I often listen to CDs while driving as well. If the members of NAB want more of my listening time, they must provide more content that I want to listen to. XM continues to offer more of what I want to listen to, and it is for this reason that I am willing to write to you on their behalf.

In summary, to allow the NAB petition to stifle this innovative service in which traditional broadcasters have been loathe to compete would be a travesty. Consider, if you will, the parallels between XM radio vs. AM/FM and broadcast TV vs. Cable TV. Cable providers have been offering 24 hour local news channels for decades now - News 12 Long Island in New York and Bay News 9 in Tampa would be two examples. They began because local viewers wanted more news than regular TV broadcasters were willing to provide, and therein lies a precedent that I believe the Commission would be negligent to consider in its evaluation of NAB's petition.

Thank you for your time and consideration of these comments.

Joseph Tomasone, Jr.
Tampa, FL